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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,807	04/09/2004	Mikio Ichinose	Q80892	8858
23373	7590	09/22/2005	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			BLANKENSHIP, GREGORY A	
			ART UNIT	PAPER NUMBER
			3612	

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/820,807	Applicant(s) ICHINOSE, MIKIO	
	Examiner Greg Blankenship	Art Unit 3612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 5, 6, and 8-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Griswold, Jr. (2,937,043).

Griswold, Jr. discloses a door system having a front door (22) and a rear door (24) that combine to close a continuous opening in a vehicle body (20). A striker (128) is inserted into both doors (22,24) to couple them when the continuous opening is closed, as seen in Figures 2 and 3. The striker (128) is drawn out of the door (24) to cancel the coupling of the two doors (22,24). In reference to claim 2, the striker is located on the front door (22) while the rear door has a catcher (154) that receives the striker (128). In reference to claim 5, Figure 3 shows the doors (22,24) having surfaces that are substantially parallel to each other when the continuous opening is completely closed. In reference to claim 6, the rear door (24) has a latch mechanism (32) that locks the rear door (24) in the closed position to the side sill (28). In reference to claims 8-11, the striker (128) is biased by spring (140) such that it projects out as seen in Figures 2 and 3, as disclosed on lines 65 of column 3 through lines 6 of column 4. The striker may be moved in the opposite direction by an actuator, the push buttons (34,50) and handles (49,58).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5, 6, and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heldt et al. (5,752,737) in view of Griswold, Jr. (2,937,043).

Heldt et al. discloses a vehicle having a front door (22) and a rear door (24) that close a continuous opening. A door latch mechanism (90) couples the doors (22,24) together when the continuous opening is closed. In reference to claim 2, the striker (92) is on the rear door (24) while the catcher (94) is on the front door (22). In reference to claims 3 and 6, an upper latch mechanism (52) and a lower latch mechanism (78) lock the rear door (24) in the close position. In reference to claim 5, Figure 6 shows the front door (22) having a first surface that is parallel to a second surface of the rear door (24). Heldt et al. does not disclose the striker as claimed.

Griswold, Jr. teaches a door latch mechanism (26) with a striker (128) that is inserted into both a front and rear door (22,24) to couple them together. The striker (128) is drawn out of the door (24) to cancel the coupling of the two doors (22,24). The striker is biased in a projecting direction and is moveable in the opposite direction by actuators (34,49,50,58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the door latch mechanism of Griswold, Jr. for the door latch mechanism of Heldt et al., resulting in a door with a striker that is inserted into both doors to couple

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them while drawing the striker out from one of the doors when uncoupling them, to provide an improved connection between the front and rear doors.

5. Claims 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griswold, Jr. (2,937,043).

Griswold, Jr. does not disclose a child safety lever on the rear door to prevent opening of the rear door from inside the vehicle.

Official notice is being taken that child safety levers that prevent opening of a rear door from within the vehicle and located on the end surface of the rear door opposite the end surface of the rear door that is connected to the hinge are well known in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add a child safety lever to the front end, in reference to claim 4, and the second surface, in reference to claim 7, of the rear door of Griswold, Jr. to improve safety by preventing a child sitting within the vehicle and adjacent the rear door from being capable of opening the rear door while the vehicle is in motion or while traffic is passing on the same side as the rear door.

Response to Arguments

6. Applicant's arguments with respect to claims 1-7 have been considered but are moot in view of the new ground(s) of rejection.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Blankenship whose telephone number is 571-272-6656.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on 571-272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gab
September 14, 2004


PATRICIA L. ENGLE
PRIMARY EXAMINER